



Sen. Iris Y. Martinez

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LRB096 11807 RLC 43884 a

1 AMENDMENT TO HOUSE BILL 4122

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4122 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Sex Offender Registration Act is amended by  
5 changing Sections 2, 3, 3-5, and 7 as follows:

6 (730 ILCS 150/2) (from Ch. 38, par. 222)

7 Sec. 2. Definitions.

8 (A) As used in this Article, "sex offender" means any  
9 person who is:

10 (1) charged pursuant to Illinois law, or any  
11 substantially similar federal, Uniform Code of Military  
12 Justice, sister state, or foreign country law, with a sex  
13 offense set forth in subsection (B) of this Section or the  
14 attempt to commit an included sex offense, and:

15 (a) is convicted of such offense or an attempt to  
16 commit such offense; or

1           (b) is found not guilty by reason of insanity of  
2 such offense or an attempt to commit such offense; or

3           (c) is found not guilty by reason of insanity  
4 pursuant to Section 104-25(c) of the Code of Criminal  
5 Procedure of 1963 of such offense or an attempt to  
6 commit such offense; or

7           (d) is the subject of a finding not resulting in an  
8 acquittal at a hearing conducted pursuant to Section  
9 104-25(a) of the Code of Criminal Procedure of 1963 for  
10 the alleged commission or attempted commission of such  
11 offense; or

12           (e) is found not guilty by reason of insanity  
13 following a hearing conducted pursuant to a federal,  
14 Uniform Code of Military Justice, sister state, or  
15 foreign country law substantially similar to Section  
16 104-25(c) of the Code of Criminal Procedure of 1963 of  
17 such offense or of the attempted commission of such  
18 offense; or

19           (f) is the subject of a finding not resulting in an  
20 acquittal at a hearing conducted pursuant to a federal,  
21 Uniform Code of Military Justice, sister state, or  
22 foreign country law substantially similar to Section  
23 104-25(a) of the Code of Criminal Procedure of 1963 for  
24 the alleged violation or attempted commission of such  
25 offense; or

26           (2) certified as a sexually dangerous person pursuant

1 to the Illinois Sexually Dangerous Persons Act, or any  
2 substantially similar federal, Uniform Code of Military  
3 Justice, sister state, or foreign country law; or

4 (3) subject to the provisions of Section 2 of the  
5 Interstate Agreements on Sexually Dangerous Persons Act;  
6 or

7 (4) found to be a sexually violent person pursuant to  
8 the Sexually Violent Persons Commitment Act or any  
9 substantially similar federal, Uniform Code of Military  
10 Justice, sister state, or foreign country law; or

11 (5) adjudicated a juvenile delinquent as the result of  
12 committing or attempting to commit an act which, if  
13 committed by an adult, would constitute any of the offenses  
14 specified in item (B), (C), or (C-5) of this Section or a  
15 violation of any substantially similar federal, Uniform  
16 Code of Military Justice, sister state, or foreign country  
17 law, or found guilty under Article V of the Juvenile Court  
18 Act of 1987 of committing or attempting to commit an act  
19 which, if committed by an adult, would constitute any of  
20 the offenses specified in item (B), (C), or (C-5) of this  
21 Section or a violation of any substantially similar  
22 federal, Uniform Code of Military Justice, sister state, or  
23 foreign country law.

24 Convictions that result from or are connected with the same  
25 act, or result from offenses committed at the same time, shall  
26 be counted for the purpose of this Article as one conviction.

1 Any conviction set aside pursuant to law is not a conviction  
2 for purposes of this Article.

3 For purposes of this Section, "convicted" shall have the  
4 same meaning as "adjudicated".

5 (B) As used in this Article, "sex offense" means:

6 (1) A violation of any of the following Sections of the  
7 Criminal Code of 1961:

8 11-20.1 (child pornography),

9 11-20.3 (aggravated child pornography),

10 11-6 (indecent solicitation of a child),

11 11-9.1 (sexual exploitation of a child),

12 11-9.2 (custodial sexual misconduct),

13 11-9.5 (sexual misconduct with a person with a  
14 disability),

15 11-15.1 (soliciting for a juvenile prostitute),

16 11-18.1 (patronizing a juvenile prostitute),

17 11-17.1 (keeping a place of juvenile  
18 prostitution),

19 11-19.1 (juvenile pimping),

20 11-19.2 (exploitation of a child),

21 11-25 (grooming),

22 11-26 (traveling to meet a minor),

23 12-13 (criminal sexual assault),

24 12-14 (aggravated criminal sexual assault),

25 12-14.1 (predatory criminal sexual assault of a  
26 child),

1           12-15 (criminal sexual abuse),  
2           12-16 (aggravated criminal sexual abuse),  
3           12-33 (ritualized abuse of a child).

4           An attempt to commit any of these offenses.

5           (1.5) A violation of any of the following Sections of  
6           the Criminal Code of 1961, when the victim is a person  
7           under 18 years of age, the defendant is not a parent of the  
8           victim, and the offense was sexually motivated as defined  
9           in Section 10 of the Sex Offender Management Board Act, ~~and~~  
10          ~~the offense was committed on or after January 1, 1996:~~

11           10-1 (kidnapping),  
12           10-2 (aggravated kidnapping),  
13           10-3 (unlawful restraint),  
14           10-3.1 (aggravated unlawful restraint).

15           (1.6) First degree murder under Section 9-1 of the  
16           Criminal Code of 1961, when the victim was a person under  
17           18 years of age and the defendant was at least 17 years of  
18           age at the time of the commission of the offense, provided  
19           the offense was sexually motivated as defined in Section 10  
20           of the Sex Offender Management Board Act.

21           (1.7) (Blank).

22           (1.8) A violation or attempted violation of Section  
23           11-11 (sexual relations within families) of the Criminal  
24           Code of 1961, ~~and the offense was committed on or after~~  
25          ~~June 1, 1997.~~

26           (1.9) Child abduction under paragraph (10) of

1 subsection (b) of Section 10-5 of the Criminal Code of 1961  
2 committed by luring or attempting to lure a child under the  
3 age of 16 into a motor vehicle, building, house trailer, or  
4 dwelling place without the consent of the parent or lawful  
5 custodian of the child for other than a lawful purpose ~~and~~  
6 ~~the offense was committed on or after January 1, 1998,~~  
7 provided the offense was sexually motivated as defined in  
8 Section 10 of the Sex Offender Management Board Act.

9 (1.10) A violation or attempted violation of any of the  
10 following Sections of the Criminal Code of 1961 ~~when the~~  
11 ~~offense was committed on or after July 1, 1999:~~

12 10-4 (forcible detention, if the victim is under 18  
13 years of age), provided the offense was sexually  
14 motivated as defined in Section 10 of the Sex Offender  
15 Management Board Act,

16 11-6.5 (indecent solicitation of an adult),

17 11-15 (soliciting for a prostitute, if the victim  
18 is under 18 years of age),

19 11-16 (pandering, if the victim is under 18 years  
20 of age),

21 11-18 (patronizing a prostitute, if the victim is  
22 under 18 years of age),

23 11-19 (pimping, if the victim is under 18 years of  
24 age).

25 (1.11) A violation or attempted violation of any of the  
26 following Sections of the Criminal Code of 1961 ~~when the~~

1 ~~offense was committed on or after August 22, 2002:~~

2 11-9 (public indecency for a third or subsequent  
3 conviction).

4 (1.12) A violation or attempted violation of Section  
5 5.1 of the Wrongs to Children Act (permitting sexual abuse)  
6 ~~when the offense was committed on or after August 22, 2002.~~

7 (2) A violation of any former law of this State  
8 substantially equivalent to any offense listed in  
9 subsection (B) of this Section.

10 (C) A conviction for an offense of federal law, Uniform  
11 Code of Military Justice, or the law of another state or a  
12 foreign country that is substantially equivalent to any offense  
13 listed in subsections (B), (C), (E), and (E-5) of this Section  
14 shall constitute a conviction for the purpose of this Article.  
15 A finding or adjudication as a sexually dangerous person or a  
16 sexually violent person under any federal law, Uniform Code of  
17 Military Justice, or the law of another state or foreign  
18 country that is substantially equivalent to the Sexually  
19 Dangerous Persons Act or the Sexually Violent Persons  
20 Commitment Act shall constitute an adjudication for the  
21 purposes of this Article.

22 (C-5) A person at least 17 years of age at the time of the  
23 commission of the offense who is convicted of first degree  
24 murder under Section 9-1 of the Criminal Code of 1961, against  
25 a person under 18 years of age, shall be required to register  
26 for natural life. A conviction for an offense of federal,

1 Uniform Code of Military Justice, sister state, or foreign  
2 country law that is substantially equivalent to any offense  
3 listed in subsection (C-5) of this Section shall constitute a  
4 conviction for the purpose of this Article. ~~This subsection~~  
5 ~~(C-5) applies to a person who committed the offense before June~~  
6 ~~1, 1996 only if the person is incarcerated in an Illinois~~  
7 ~~Department of Corrections facility on August 20, 2004 (the~~  
8 ~~effective date of Public Act 93-977).~~

9 (D) As used in this Article, "law enforcement agency having  
10 jurisdiction" means the Chief of Police in each of the  
11 municipalities in which the sex offender expects to reside,  
12 work, or attend school (1) upon his or her discharge, parole or  
13 release or (2) during the service of his or her sentence of  
14 probation or conditional discharge, or the Sheriff of the  
15 county, in the event no Police Chief exists or if the offender  
16 intends to reside, work, or attend school in an unincorporated  
17 area. "Law enforcement agency having jurisdiction" includes  
18 the location where out-of-state students attend school and  
19 where out-of-state employees are employed or are otherwise  
20 required to register.

21 (D-1) As used in this Article, "supervising officer" means  
22 the assigned Illinois Department of Corrections parole agent or  
23 county probation officer.

24 (E) As used in this Article, "sexual predator" means any  
25 person who, ~~after July 1, 1999,~~ is:

26 (1) Convicted for an offense of federal, Uniform Code

1 of Military Justice, sister state, or foreign country law  
2 that is substantially equivalent to any offense listed in  
3 subsection (E) or (E-5) of this Section shall constitute a  
4 conviction for the purpose of this Article. Convicted of a  
5 violation or attempted violation of any of the following  
6 Sections of the Criminal Code of 1961, ~~if the conviction~~  
7 ~~occurred after July 1, 1999:~~

8 11-17.1 (keeping a place of juvenile  
9 prostitution),

10 11-19.1 (juvenile pimping),

11 11-19.2 (exploitation of a child),

12 11-20.1 (child pornography),

13 11-20.3 (aggravated child pornography),

14 12-13 (criminal sexual assault),

15 12-14 (aggravated criminal sexual assault),

16 12-14.1 (predatory criminal sexual assault of a  
17 child),

18 12-16 (aggravated criminal sexual abuse),

19 12-33 (ritualized abuse of a child);

20 (2) (blank);

21 (3) certified as a sexually dangerous person pursuant  
22 to the Sexually Dangerous Persons Act or any substantially  
23 similar federal, Uniform Code of Military Justice, sister  
24 state, or foreign country law;

25 (4) found to be a sexually violent person pursuant to  
26 the Sexually Violent Persons Commitment Act or any

1 substantially similar federal, Uniform Code of Military  
2 Justice, sister state, or foreign country law;

3 (5) convicted of a second or subsequent offense which  
4 requires registration pursuant to this Act. ~~The conviction~~  
5 ~~for the second or subsequent offense must have occurred~~  
6 ~~after July 1, 1999.~~ For purposes of this paragraph (5),  
7 "convicted" shall include a conviction under any  
8 substantially similar Illinois, federal, Uniform Code of  
9 Military Justice, sister state, or foreign country law; ~~or~~

10 (6) convicted of a second or subsequent offense of  
11 luring a minor under Section 10-5.1 of the Criminal Code of  
12 1961; or -

13 (7) required to register in another State due to a  
14 conviction, adjudication or other action of any court  
15 triggering an obligation to register as a sex offender,  
16 sexual predator, or substantially similar status under the  
17 laws of that State.

18 (E-5) As used in this Article, "sexual predator" also means  
19 a person convicted of a violation or attempted violation of any  
20 of the following Sections of the Criminal Code of 1961:

21 (1) Section 9-1 (first degree murder, when the victim  
22 was a person under 18 years of age and the defendant was at  
23 least 17 years of age at the time of the commission of the  
24 offense, provided the offense was sexually motivated as  
25 defined in Section 10 of the Sex Offender Management Board  
26 Act);

1           (2) Section 11-9.5 (sexual misconduct with a person  
2 with a disability);

3           (3) when the victim is a person under 18 years of age,  
4 the defendant is not a parent of the victim, the offense  
5 was sexually motivated as defined in Section 10 of the Sex  
6 Offender Management Board Act, and the offense was  
7 committed on or after January 1, 1996: (A) Section 10-1  
8 (kidnapping), (B) Section 10-2 (aggravated kidnapping),  
9 (C) Section 10-3 (unlawful restraint), and (D) Section  
10 10-3.1 (aggravated unlawful restraint); and

11           (4) Section 10-5(b)(10) (child abduction committed by  
12 luring or attempting to lure a child under the age of 16  
13 into a motor vehicle, building, house trailer, or dwelling  
14 place without the consent of the parent or lawful custodian  
15 of the child for other than a lawful purpose and the  
16 offense was committed on or after January 1, 1998, provided  
17 the offense was sexually motivated as defined in Section 10  
18 of the Sex Offender Management Board Act).

19           (F) As used in this Article, "out-of-state student" means  
20 any sex offender, as defined in this Section, or sexual  
21 predator who is enrolled in Illinois, on a full-time or  
22 part-time basis, in any public or private educational  
23 institution, including, but not limited to, any secondary  
24 school, trade or professional institution, or institution of  
25 higher learning.

26           (G) As used in this Article, "out-of-state employee" means

1 any sex offender, as defined in this Section, or sexual  
2 predator who works in Illinois, regardless of whether the  
3 individual receives payment for services performed, for a  
4 period of time of 10 or more days or for an aggregate period of  
5 time of 30 or more days during any calendar year. Persons who  
6 operate motor vehicles in the State accrue one day of  
7 employment time for any portion of a day spent in Illinois.

8 (H) As used in this Article, "school" means any public or  
9 private educational institution, including, but not limited  
10 to, any elementary or secondary school, trade or professional  
11 institution, or institution of higher education.

12 (I) As used in this Article, "fixed residence" means any  
13 and all places that a sex offender resides for an aggregate  
14 period of time of 5 or more days in a calendar year.

15 (J) As used in this Article, "Internet protocol address"  
16 means the string of numbers by which a location on the Internet  
17 is identified by routers or other computers connected to the  
18 Internet.

19 (Source: P.A. 95-331, eff. 8-21-07; 95-579, eff. 6-1-08;  
20 95-625, eff. 6-1-08; 95-658, eff. 10-11-07; 95-876, eff.  
21 8-21-08; 96-301, eff. 8-11-09; 96-1089, eff. 1-1-11.)

22 (730 ILCS 150/3)

23 Sec. 3. Duty to register.

24 (a) A sex offender, as defined in Section 2 of this Act, or  
25 sexual predator shall, within the time period prescribed in

1 subsections (b) and (c), register in person and provide  
2 accurate information as required by the Department of State  
3 Police. Such information shall include a current photograph,  
4 current address, current place of employment, the sex  
5 offender's or sexual predator's telephone number, including  
6 cellular telephone number, the employer's telephone number,  
7 school attended, all e-mail addresses, instant messaging  
8 identities, chat room identities, and other Internet  
9 communications identities that the sex offender uses or plans  
10 to use, all Uniform Resource Locators (URLs) registered or used  
11 by the sex offender, all blogs and other Internet sites  
12 maintained by the sex offender or to which the sex offender has  
13 uploaded any content or posted any messages or information,  
14 extensions of the time period for registering as provided in  
15 this Article and, if an extension was granted, the reason why  
16 the extension was granted and the date the sex offender was  
17 notified of the extension. The information shall also include a  
18 copy of the terms and conditions of parole or release signed by  
19 the sex offender and given to the sex offender by his or her  
20 supervising officer, the county of conviction, license plate  
21 numbers for every vehicle registered in the name of the sex  
22 offender, the age of the sex offender at the time of the  
23 commission of the offense, the age of the victim at the time of  
24 the commission of the offense, and any distinguishing marks  
25 located on the body of the sex offender. A sex offender  
26 convicted under Section 11-6, 11-20.1, 11-20.3, or 11-21 of the

1 Criminal Code of 1961 shall provide all Internet protocol (IP)  
2 addresses in his or her residence, registered in his or her  
3 name, accessible at his or her place of employment, or  
4 otherwise under his or her control or custody. If the sex  
5 offender is a child sex offender as defined in Section 11-9.3  
6 or 11-9.4 of the Criminal Code of 1961, the sex offender shall  
7 report to the registering agency whether he or she is living in  
8 a household with a child under 18 years of age who is not his or  
9 her own child, provided that his or her own child is not the  
10 victim of the sex offense. The sex offender or sexual predator  
11 shall register:

12 (1) with the chief of police in the municipality in  
13 which he or she resides or is temporarily domiciled for a  
14 period of time of 3 or more days, unless the municipality  
15 is the City of Chicago, in which case he or she shall  
16 register at the Chicago Police Department Headquarters; or

17 (2) with the sheriff in the county in which he or she  
18 resides or is temporarily domiciled for a period of time of  
19 3 or more days in an unincorporated area or, if  
20 incorporated, no police chief exists.

21 If the sex offender or sexual predator is employed at or  
22 attends an institution of higher education, he or she shall  
23 register:

24 (i) with the chief of police in the municipality in  
25 which he or she is employed at or attends an institution of  
26 higher education, unless the municipality is the City of

1 Chicago, in which case he or she shall register at the  
2 Chicago Police Department Headquarters; or

3 (ii) with the sheriff in the county in which he or she  
4 is employed or attends an institution of higher education  
5 located in an unincorporated area, or if incorporated, no  
6 police chief exists.

7 For purposes of this Article, the place of residence or  
8 temporary domicile is defined as any and all places where the  
9 sex offender resides for an aggregate period of time of 3 or  
10 more days during any calendar year. Any person required to  
11 register under this Article who lacks a fixed address or  
12 temporary domicile must notify, in person, the agency of  
13 jurisdiction of his or her last known address within 3 days  
14 after ceasing to have a fixed residence.

15 A sex offender or sexual predator who is temporarily absent  
16 from his or her current address of registration for 3 or more  
17 days shall notify the law enforcement agency having  
18 jurisdiction of his or her current registration, including the  
19 itinerary for travel, in the manner provided in Section 6 of  
20 this Act for notification to the law enforcement agency having  
21 jurisdiction of change of address.

22 Any person who lacks a fixed residence must report weekly,  
23 in person, with the sheriff's office of the county in which he  
24 or she is located in an unincorporated area, or with the chief  
25 of police in the municipality in which he or she is located.  
26 The agency of jurisdiction will document each weekly

1 registration to include all the locations where the person has  
2 stayed during the past 7 days.

3 The sex offender or sexual predator shall provide accurate  
4 information as required by the Department of State Police. That  
5 information shall include the sex offender's or sexual  
6 predator's current place of employment.

7 (a-5) An out-of-state student or out-of-state employee  
8 shall, within 3 days after beginning school or employment in  
9 this State, register in person and provide accurate information  
10 as required by the Department of State Police. Such information  
11 will include current place of employment, school attended, and  
12 address in state of residence. A sex offender convicted under  
13 Section 11-6, 11-20.1, 11-20.3, or 11-21 of the Criminal Code  
14 of 1961 shall provide all Internet protocol (IP) addresses in  
15 his or her residence, registered in his or her name, accessible  
16 at his or her place of employment, or otherwise under his or  
17 her control or custody. The out-of-state student or  
18 out-of-state employee shall register:

19 (1) with the chief of police in the municipality in  
20 which he or she attends school or is employed for a period  
21 of time of 5 or more days or for an aggregate period of  
22 time of more than 30 days during any calendar year, unless  
23 the municipality is the City of Chicago, in which case he  
24 or she shall register at the Chicago Police Department  
25 Headquarters; or

26 (2) with the sheriff in the county in which he or she

1 attends school or is employed for a period of time of 5 or  
2 more days or for an aggregate period of time of more than  
3 30 days during any calendar year in an unincorporated area  
4 or, if incorporated, no police chief exists.

5 The out-of-state student or out-of-state employee shall  
6 provide accurate information as required by the Department of  
7 State Police. That information shall include the out-of-state  
8 student's current place of school attendance or the  
9 out-of-state employee's current place of employment.

10 (a-10) Any law enforcement agency registering sex  
11 offenders or sexual predators in accordance with subsections  
12 (a) or (a-5) of this Section shall forward to the Attorney  
13 General a copy of sex offender registration forms from persons  
14 convicted under Section 11-6, 11-20.1, 11-20.3, or 11-21 of the  
15 Criminal Code of 1961, including periodic and annual  
16 registrations under Section 6 of this Act.

17 (b) Any sex offender, as defined in Section 2 of this Act,  
18 or sexual predator, regardless of any initial, prior, or other  
19 registration, shall, within 3 days of beginning school, or  
20 establishing a residence, place of employment, or temporary  
21 domicile in any county, register in person as set forth in  
22 subsection (a) or (a-5).

23 (c) The registration for any person required to register  
24 under this Article shall be as follows:

25 (1) Any person registered under the Habitual Child Sex  
26 Offender Registration Act or the Child Sex Offender

1 Registration Act prior to January 1, 1996, shall be deemed  
2 initially registered as of January 1, 1996; however, this  
3 shall not be construed to extend the duration of  
4 registration set forth in Section 7.

5 (2) Except as provided in subsection (c) (4), any person  
6 convicted or adjudicated prior to January 1, 1996, whose  
7 liability for registration under Section 7 has not expired,  
8 shall register in person prior to January 31, 1996.

9 (2.1) A sex offender, as defined in Section 2 of this  
10 Act, or sexual predator who was not required to register  
11 under this Act before the effective date of this amendatory  
12 Act of the 96th General Assembly now has a duty to  
13 register. Any sex offender who on or after July 1, 2011 is  
14 on parole, mandatory supervised release, probation, or  
15 conditional discharge for a conviction for any felony  
16 offense or for a conviction for any misdemeanor offense  
17 under the Criminal Code of 1961 shall be notified of his or  
18 her duty to register as a sex offender by his or her  
19 supervising officer or as otherwise provided in Section 5  
20 of this Act. The court or supervising officer shall require  
21 the person to read and sign such form as may be required by  
22 the Department of State Police stating that the duty to  
23 register and the procedure for registration have been  
24 explained to him or her and that he or she understands the  
25 duty to register and the procedure for registration. He or  
26 she shall register in person within 3 days after

1       notification by his or her supervising officer or the court  
2       as provided in Section 6 of this Act. Any person unable to  
3       comply with the registration requirements of this  
4       amendatory Act of the 96th General Assembly because he or  
5       she is confined, institutionalized, or imprisoned in  
6       Illinois on or after the effective date of this amendatory  
7       Act of the 96th General Assembly shall register in person  
8       within 3 days after discharge, parole, or release.

9           (2.5) Except as provided in subsection (c)(4), any  
10       person who has not been notified of his or her  
11       responsibility to register shall be notified by a criminal  
12       justice entity of his or her responsibility to register.  
13       Upon notification the person must then register within 3  
14       days of notification of his or her requirement to register.  
15       Except as provided in subsection (c)(2.1), if ~~if~~  
16       notification is not made within the offender's 10 year  
17       registration requirement, and the Department of State  
18       Police determines no evidence exists or indicates the  
19       offender attempted to avoid registration, the offender  
20       will no longer be required to register under this Act.

21           (3) Except as provided in subsection (c)(4), any person  
22       convicted on or after January 1, 1996, shall register in  
23       person within 3 days after the entry of the sentencing  
24       order based upon his or her conviction.

25           (4) Any person unable to comply with the registration  
26       requirements of this Article because he or she is confined,

1 institutionalized, or imprisoned in Illinois on or after  
2 January 1, 1996, shall register in person within 3 days of  
3 discharge, parole or release.

4 (5) The person shall provide positive identification  
5 and documentation that substantiates proof of residence at  
6 the registering address.

7 (6) The person shall pay a \$100 initial registration  
8 fee and a \$100 annual renewal fee. The fees shall be used  
9 by the registering agency for official purposes. The agency  
10 shall establish procedures to document receipt and use of  
11 the funds. The law enforcement agency having jurisdiction  
12 may waive the registration fee if it determines that the  
13 person is indigent and unable to pay the registration fee.  
14 Thirty dollars for the initial registration fee and \$30 of  
15 the annual renewal fee shall be used by the registering  
16 agency for official purposes. Ten dollars of the initial  
17 registration fee and \$10 of the annual fee shall be  
18 deposited into the Sex Offender Management Board Fund under  
19 Section 19 of the Sex Offender Management Board Act. Money  
20 deposited into the Sex Offender Management Board Fund shall  
21 be administered by the Sex Offender Management Board and  
22 shall be used to fund practices endorsed or required by the  
23 Sex Offender Management Board Act including but not limited  
24 to sex offenders evaluation, treatment, or monitoring  
25 programs that are or may be developed, as well as for  
26 administrative costs, including staff, incurred by the

1 Board. Thirty dollars of the initial registration fee and  
2 \$30 of the annual renewal fee shall be deposited into the  
3 Sex Offender Registration Fund and shall be used by the  
4 Department of State Police to maintain and update the  
5 Illinois State Police Sex Offender Registry. Thirty  
6 dollars of the initial registration fee and \$30 of the  
7 annual renewal fee shall be deposited into the Attorney  
8 General Sex Offender Awareness, Training, and Education  
9 Fund. Moneys deposited into the Fund shall be used by the  
10 Attorney General to administer the I-SORT program and to  
11 alert and educate the public, victims, and witnesses of  
12 their rights under various victim notification laws and for  
13 training law enforcement agencies, State's Attorneys, and  
14 medical providers of their legal duties concerning the  
15 prosecution and investigation of sex offenses.

16 (d) Within 3 days after obtaining or changing employment  
17 and, if employed on January 1, 2000, within 5 days after that  
18 date, a person required to register under this Section must  
19 report, in person to the law enforcement agency having  
20 jurisdiction, the business name and address where he or she is  
21 employed. If the person has multiple businesses or work  
22 locations, every business and work location must be reported to  
23 the law enforcement agency having jurisdiction.

24 (Source: P.A. 95-229, eff. 8-16-07; 95-579, eff. 6-1-08;  
25 95-640, eff. 6-1-08; 95-658, eff. 10-11-07; 95-876, eff.  
26 8-21-08; 96-1094, eff. 1-1-11; 96-1096, eff. 1-1-11; 96-1097,

1 eff. 1-1-11; 96-1102, eff. 1-1-11; 96-1104, eff. 1-1-11;  
2 revised 9-2-10.)

3 (730 ILCS 150/3-5)

4 Sec. 3-5. Application of Act to adjudicated juvenile  
5 delinquents.

6 (a) In all cases involving an adjudicated juvenile  
7 delinquent who meets the definition of sex offender as set  
8 forth in paragraph (5) of subsection (A) of Section 2 of this  
9 Act, the court shall order the minor to register as a sex  
10 offender.

11 (b) Once an adjudicated juvenile delinquent is ordered to  
12 register as a sex offender, the adjudicated juvenile delinquent  
13 shall be subject to the registration requirements set forth in  
14 Sections 3, 6, 6-5, 8, 8-5, and 10 for the term of his or her  
15 registration.

16 (c) For a minor adjudicated delinquent for an offense  
17 which, if charged as an adult, would be a felony, no less than  
18 5 years after registration ordered pursuant to subsection (a)  
19 of this Section, the minor may petition for the termination of  
20 the term of registration. For a minor adjudicated delinquent  
21 for an offense which, if charged as an adult, would be a  
22 misdemeanor, no less than 2 years after registration ordered  
23 pursuant to subsection (a) of this Section, the minor may  
24 petition for termination of the term of registration.

25 (d) The court may upon a hearing on the petition for

1 termination of registration, terminate registration if the  
2 court finds that the registrant poses no risk to the community  
3 by a preponderance of the evidence based upon the factors set  
4 forth in subsection (e). Notwithstanding any other provisions  
5 of this Act to the contrary, no registrant whose registration  
6 has been terminated under this Section shall be required to  
7 register under the provisions of this Act for the offense or  
8 offenses which were the subject of the successful petition for  
9 termination of registration. This exemption shall apply only to  
10 those offenses which were the subject of the successful  
11 petition for termination of registration, and shall not apply  
12 to any other or subsequent offenses requiring registration  
13 under this Act.

14 (e) To determine whether a registrant poses a risk to the  
15 community as required by subsection (d), the court shall  
16 consider the following factors:

17 (1) a risk assessment performed by an evaluator  
18 approved by the Sex Offender Management Board;

19 (2) the sex offender history of the adjudicated  
20 juvenile delinquent;

21 (3) evidence of the adjudicated juvenile delinquent's  
22 rehabilitation;

23 (4) the age of the adjudicated juvenile delinquent at  
24 the time of the offense;

25 (5) information related to the adjudicated juvenile  
26 delinquent's mental, physical, educational, and social

1 history;

2 (6) victim impact statements; and

3 (7) any other factors deemed relevant by the court.

4 (f) At the hearing set forth in subsections (c) and (d), a  
5 registrant shall be represented by counsel and may present a  
6 risk assessment conducted by an evaluator who is a licensed  
7 psychiatrist, psychologist, or other mental health  
8 professional, and who has demonstrated clinical experience in  
9 juvenile sex offender treatment.

10 (g) After a registrant completes the term of his or her  
11 registration, his or her name, address, and all other  
12 identifying information shall be removed from all State and  
13 local registries.

14 (h) This Section applies retroactively to cases in which  
15 adjudicated juvenile delinquents who registered or were  
16 required to register before the effective date of this  
17 amendatory Act of the 95th General Assembly. On or after the  
18 effective date of this amendatory Act of the 95th General  
19 Assembly, a person adjudicated delinquent before the effective  
20 date of this amendatory Act of the 95th General Assembly may  
21 request a hearing regarding status of registration by filing a  
22 Petition Requesting Registration Status with the clerk of the  
23 court. Upon receipt of the Petition Requesting Registration  
24 Status, the clerk of the court shall provide notice to the  
25 parties and set the Petition for hearing pursuant to  
26 subsections (c) through (e) of this Section.

1 (i) This Section does not apply to minors prosecuted under  
2 the criminal laws as adults.

3 (Source: P.A. 95-658, eff. 10-11-07.)

4 (730 ILCS 150/7) (from Ch. 38, par. 227)

5 Sec. 7. Duration of registration. A person who has been  
6 adjudicated to be sexually dangerous and is later released or  
7 found to be no longer sexually dangerous and discharged, shall  
8 register for the period of his or her natural life. A sexually  
9 violent person or sexual predator shall register for the period  
10 of his or her natural life after conviction or adjudication or  
11 after the effective date of this amendatory Act of the 96th  
12 General Assembly if the sexually violent person or sexual  
13 predator was not required to register before the effective date  
14 of this amendatory Act of the 96th General Assembly if not  
15 confined to a penal institution, hospital, or other institution  
16 or facility, and if confined, for the period of his or her  
17 natural life after parole, discharge, or release from any such  
18 facility. A person who has not been adjudicated to be sexually  
19 dangerous or who is not a sexually violent person or sexual  
20 predator and who is required to register under this Article as  
21 a result of this amendatory Act of the 96th General Assembly  
22 shall register for a period of 10 years after conviction or  
23 adjudication if not confined to a penal institution, hospital,  
24 or other institution or facility, and if confined, for a period  
25 of 10 years after parole, discharge, or release from any such

1 facility. However, this provision shall only revive the period  
2 of registration of any person who was previously registered as  
3 a sex offender and who successfully completed his or her period  
4 of registration prior to the effective date of this amendatory  
5 Act of the 96th General Assembly if he or she is convicted of  
6 any felony offense, or convicted of any misdemeanor offense  
7 under the Criminal Code of 1961, after July 1, 2011. A person  
8 who becomes subject to registration under this Article who has  
9 previously been subject to registration under this Article or  
10 under the Child Murderer and Violent Offender Against Youth  
11 Registration Act or similar registration requirements of other  
12 jurisdictions shall register for the period of his or her  
13 natural life if not confined to a penal institution, hospital,  
14 or other institution or facility, and if confined, for the  
15 period of his or her natural life after parole, discharge, or  
16 release from any such facility. Any other person who is  
17 required to register under this Article shall be required to  
18 register for a period of 10 years after conviction or  
19 adjudication if not confined to a penal institution, hospital  
20 or any other institution or facility, and if confined, for a  
21 period of 10 years after parole, discharge or release from any  
22 such facility. A sex offender who is allowed to leave a county,  
23 State, or federal facility for the purposes of work release,  
24 education, or overnight visitations shall be required to  
25 register within 3 days of beginning such a program. Liability  
26 for registration terminates at the expiration of 10 years from

1 the date of conviction or adjudication if not confined to a  
2 penal institution, hospital or any other institution or  
3 facility and if confined, at the expiration of 10 years from  
4 the date of parole, discharge or release from any such  
5 facility, providing such person does not, during that period,  
6 again become liable to register under the provisions of this  
7 Article. Reconfinement due to a violation of parole, a  
8 conviction reviving registration, or other circumstances that  
9 relates to the original conviction or adjudication shall extend  
10 the period of registration to 10 years after final parole,  
11 discharge, or release. Reconfinement due to a violation of  
12 parole or other circumstances that do not relate to the  
13 original conviction or adjudication shall toll the running of  
14 the balance of the 10-year period of registration, which shall  
15 not commence running until after final parole, discharge, or  
16 release. The Director of State Police, consistent with  
17 administrative rules, shall extend for 10 years the  
18 registration period of any sex offender, as defined in Section  
19 2 of this Act, who fails to comply with the provisions of this  
20 Article. The registration period for any sex offender who fails  
21 to comply with any provision of the Act shall extend the period  
22 of registration by 10 years beginning from the first date of  
23 registration after the violation. If the registration period is  
24 extended, the Department of State Police shall send a  
25 registered letter to the law enforcement agency where the sex  
26 offender resides within 3 days after the extension of the

1 registration period. The sex offender shall report to that law  
2 enforcement agency and sign for that letter. One copy of that  
3 letter shall be kept on file with the law enforcement agency of  
4 the jurisdiction where the sex offender resides and one copy  
5 shall be returned to the Department of State Police.

6 (Source: P.A. 94-166, eff. 1-1-06; 94-168, eff. 1-1-06; 95-169,  
7 eff. 8-14-07; 95-331, eff. 8-21-07; 95-513, eff. 6-1-08;  
8 95-640, eff. 6-1-08; 95-876, eff. 8-21-08.)

9 Section 99. Effective date. This Act takes effect July 1,  
10 2011.".